

MESSAGE NO: 7142111 MESSAGE DATE: 05/22/1997

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: OTH-Other PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-462-306

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 12/20/1995 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: CLARIFICATION OF ANTIDUMPING ORDER PURE MAGNESIUM FROM THE
UKRAINE (A-462-306)

MESSAGE NO: 7142111

DATE: 05 22 1997

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TYPE: OTH

REFERENCE:

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CASES: A - 462 - 306

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PERIOD COVERED: 12 20 1995 TO

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: CLARIFICATION OF ANTIDUMPING ORDER PURE MAGNESIUM FROM
THE UKRAINE (A-462-306)

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ON DECEMBER 20, 1995, NOTICE OF ITS AMENDED ANTIDUMPING DUTY ORDER IN THE ANTIDUMPING DUTY INVESTIGATION OF PURE MAGNESIUM FROM THE UKRAINE. THIS NOTICE CLARIFIES THE PRODUCT COVERAGE OF THE ANTIDUMPING ORDER AND REVISES PARAGRAPH 2 OF MESSAGE OF 6228111 DATED 8/15/96.

2. THE PRODUCT COVERED BY THIS ORDER IS PURE PRIMARY MAGNESIUM REGARDLESS OF CHEMISTRY, FORM OR SIZE UNLESS EXPRESSLY EXCLUDED

FROM THE SCOPE OF THIS ORDER. PURE PRIMARY MAGNESIUM ENCOMPASSES PRODUCTS (INCLUDING, BUT NOT LIMITED TO, BUTT ENDS, STUBS, CROWNS AND CRYSTALS) WITH THE FOLLOWING PRIMARY MAGNESIUM CONTENTS:

(1) PRODUCTS THAT CONTAIN AT LEAST 99.95% PRIMARY MAGNESIUM, BY WEIGHT (GENERALLY REFERRED TO AS "ULTRA-PURE" MAGNESIUM);

(2) PRODUCTS THAT CONTAIN LESS THAN 99.95%, BUT NOT LESS THAN 99.8% PRIMARY MAGNESIUM, BY WEIGHT (GENERALLY REFERRED TO AS "PURE" MAGNESIUM); AND

(3) PRODUCTS (GENERALLY REFERRED TO AS "OFF SPECIFICATION PURE" MAGNESIUM) THAT CONTAIN 50% OR GREATER, BUT LESS THAN 99.8%, PRIMARY MAGNESIUM, BY WEIGHT, AND THAT DO NOT CONFORM TO ASTM SPECIFICATIONS FOR ALLOY MAGNESIUM.

"OFF SEPCIFICATION PURE" MAGNESIUM IS PURE PRIMARY MAGNESIUM CONTAINING MAGNESIUM SCRAP, SECONDARY MAGNESIUM, OXIDIZED MAGNESIUM OR IMPURITIES (WHETHER OR NOT INTENTIONALLY ADDED) THAT CAUSE THE PRIMARY MAGNESIUM CONTENT TO FALL BELOW 99.8% BY WEIGHT. IT GENERALLY DOES NOT CONTAIN, INDIVIDUALLY OR IN COMBINATION, 1.5% OR MORE BY WEIGHT, OF THE FOLLOWING ALLOYING ELEMENTS: ALUMINUM, MANGANESE, ZINC, SILICON, THORIUM, ZIRCONIUM AND RARE EARTHS.

IF ENTRY DOCUMENTATION FAILS TO ESTABLISH THAT THE PURE PRIMARY MAGNESIUM CONTENT OF THE IMPORTED MERCHANDISE FALLS OUTSIDE OF THE ABOVE-DESCRIBED PARAMETERS, THEN LIQUIDATION SHALL BE SUSPENDED AND APPROPRIATE ANTIDUMPING DUTY DEPOSITS COLLECTED UNLESS THE MERCHANDISE IS EXPRESLLY EXCLUDED FROM THE ORDERS AS DESCRIBED BELOW.

THE ONLY PRIMARY MAGNESIUM PRODUCTS THAT ARE EXCLUDED FROM THE SCOPE OF THIS ORDER ARE ALLOY PRIMARY MAGNESIUM (THAT MEETS ASTM SPECIFICATIONS FOR ALLOY MAGNESIUM), PRIMARY MAGNESIUM ANODES, GRANULAR PRIMARY MAGNESIUM (INCLUDING TURNINGS, CHIPS AND POWDERS) HAVING A MAXIMUM PHYSICAL DIMENSION (I.E., LENGTH OR

DIAMETER) OF ONE INCH OR LESS, SECONDARY MAGNESIUM (WHICH HAS A PURE PRIMARY MAGNESIUM CONTENT OR LESS THAN 50% BY WEIGHT), AND REMELTED MAGNESIUM WHOSE PURE PRIMARY MAGNESIUM CONTENT IS LESS

THAN 50%, BY WEIGHT. IF THE ENTRY DOCUMENTATION FAILS TO ESTABLISH THAT THE IMPORTED MERCHANDISE (1) MEETS ASTM SPECIFICATIONS FOR ALLOY MAGNESIUM; (2) HAS A MAXIMUM PHYSICAL DIMENSION (I.E., LENGTH OR DIAMETER) OF ONE INCH OR LESS; (3) IS SECONDARY MAGNESIUM WHICH HAS A PURE PRIMARY MAGNESIUM CONTENT OF

LESS THAN 50% BY WEIGHT; OR (4) IS REMELTED MAGNESIUM WHOSE PURE PRIMARY MAGNESIUM CONTENT IS LESS THAN 50%, BY WEIGHT, THEN LIQUIDATION SHALL BE SUSPENDED AND APPROPRIATE ANTIDUMPING DUTY DEPOSITS COLLECTED.

PURE MAGNESIUM PRODUCTS COVERED BY THIS ORDER ARE CLASSIFIABLE UNDER HTS SUBHEADINGS 8104.11.00, 8104.19.00, 8104.20.00, 8104.30.00, 8104.90.00, 3824.90.11, 3824.90.19, AND 9817.00.90.

3. FOR FURTHER REPORTING PURPOSES, THIS CASE HAS BEEN ASSIGNED THE FOLLOWING DOC CASE NUMBER: (A-823-806). FOR CUSTOMS PURPOSES ONLY, THIS CASE HAS BEEN ASSIGNED THE FOLLOWING CUSTOMS ID NUMBER: (A-462-306).

4. THE U.S. CUSTOMS SERVICE SHALL, EXCEPT AS NOTED ABOVE, CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRY SUMMARIES OF PURE MAGNESIUM FROM THE PEOPLE'S REPUBLIC OF CHINA THAT ARE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER NOVEMBER

7, 1994. EFFECTIVE MAY 12, 1995, CUSTOMS SHALL, EXCEPT AS NOTED ABOVE, REQUIRE A CASH DEPOSIT FOR SUCH ENTRY SUMMARIES OF THE SUBJECT MERCHANDISE ACCORDING TO THE FOLLOWING SCHEDULE.

MANUFACTURER/ EXPORTER	CUSTOMS ID NUMBER	MARGIN PERCENTAGE
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GERALD METALS	A-462-306-001	103.27%
MG METALS	A-462-306-002	79.87%

ALUSUISSE LONZA	A-462-306-003	104.27%
DEREK RAPHAEL & CO	A-462-306-004	104.27%
MARCO TRADING	A-462-306-005	104.27%
WOGEN GROUP LTD.	A-462-306-006	104.27%
ALEX	A-462-306-007	104.27%
MAGES	A-462-306-008	104.27%
F&S	A-462-306-009	104.27%
HOCHSCHILD PARTNERS	A-462-306-010	92.21%
UKRAINE-WIDE RATE	A-462-306-000	104.27%

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, IMPORT OPERATIONS, ANTIDUMPING/COUNTERVAILING DUTY, USING ATTRIBUTE "HQ OAB". OTHER INTERESTED PARTIES SHOULD CONTACT ELLEN GREBASH, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, TELEPHONE (202)482-3773.

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

BYLLE PATTERSON
(ACTING)

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party